

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application No. 10/619,990

Examiner: Not yet assigned

First Named Inventor: NED HOFFMAN

Group: Not yet assigned

Filed:

14 Jul 2003

For: TOKENLESS ELECTRONIC TRANSACTION SYSTEM

TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Enclosed for filing in the above-referenced U.S. Letters Patent/Application is:

Request to Exclude 1.

Power of Attorney with accompanying listing of Indivos patent properties and 2. recorded merger documents

Customer No.

Respectfully submitted,

20575

MARGER/JOHNSON & McCOLLOM, P.C.

Alexander C. Johnson, Jr.

Reg. No. 29,396

1030 S.W. Morrison Street Portland, Oregon 97205 Telephone: (503) 222-3613

REQUEST TO EXCLUDE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Pursuant to 37 CFR § 3.71 (a), INDIVOS CORPORATION, assignee of the above-described patent applications/patents, hereby excludes Ned Hoffman and his companies, EXCEL INNOVATIONS, INC. and AVIV, LLC, and Otto Lee, Reg. No. 37,871, and Ali Kamarei, Reg. No. 37,000, and any persons acting on their behalf, from conducting prosecution, inspecting or granting powers to inspect or entering a power of attorney or changing address or taking any other action whatsoever in any of the above-referenced patents and patent applications.

Assignee INDIVOS CORPORATION has recorded an ANNULMENT OF ASSIGNMENT and STATEMENT THAT NED HOFFMAN LACKED AUTHORITY TO EXECUTE DOCUMENTS ON BEHALF OF INDIVOS CORPORATION in Reel/Frame 013986 / 0001 (97 pages) on September 16, , 2003, against those properties referred to in the accompanying Power of Attorney.

Filed herewith is a new Power of Attorney designating the undersigned and other members of this firm as attorneys for INDIVOS CORPORATION. No other attorneys or persons are authorized to represent or act for INDIVOS CORPORATION in any of its patents or patent applications.

Respectfully submitted,

20575

Customer No.

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Telephone: (503) 222-3613



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST AND REVOCATION OF PRIOR POWERS

I, Mark G. Thompson, Treasurer of Indivos Corporation, a Delaware corporation, having a place of business at One Market Street, Spear Tower, Suite 4100, San Francisco, California 94105, a wholly owned subsidiary of Solidus Networks, Inc., having a place of business at One Market Street, Spear Tower, Suite 4100, San Francisco, California 94105, assignee of the entire right, title and interest of the U.S. Patents and Patent Applications described on the attached Exhibit, by virtue of the assignments from the inventors to SmartTouch, LLC, a limited liability company, SmartTouch, Inc., a Delaware corporation, VeriStar Corporation, a Delaware corporation, or Indivos Corporation, a Delaware corporation (Reel and Frame indicated on the attached Exhibit), and by virtue of the certificate of merger of Indivos Corporation with Indivos Acquisition Corp., which was a Delaware corporation and a wholly owned subsidiary of Solidus Networks, Inc., a copy of which is attached hereto, represent that I am empowered to sign on behalf of assignee.

As assignee of record of the entire interest of the above-identified application, all powers of attorney previously given are hereby revoked and the following attorneys and/or patent agents are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith:

Customer Number 20575

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Stephen S. Ford	35,139
Julie L. Reed	35,349
Scott A. Schaffer	38,610
Joseph S. Makuch	39,286
James E. Harris	40,013
Kevin S. Ross	42,116
Graciela G. Cowger	42,444
Ariel S. Rogson	43,054
Craig R. Rogers	43,888
Hillary Brooks	45,815
Clifford D. Weston	48,307
Todd J. Iverson	53,057

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INDIVOS CORPORATION,

a Delaware corporation,

Mark G. Thompson

Treasurer, Indivos Corporation

I, John Rogers, President of Indivos Corporation, a Delaware corporation, attest that I have witnessed the execution of this document by Mark G. Thompson, Treasurer of Indivos Corporation.

Date: 8-8-03

Date: 8-8-0

John Rogers

President, Indivos Corporation

Docket No.	Provisional Application Filing Date	Filing Date	Application Filing Date	Patent No.	Issue Date	Inventor's Assignment	ment	Assigned To:
	Serial No.	-				Reel/Frame (pages)	Date	0 1 1 1 2
8514-5				5,613,012	3/18/1997	7567/0562 (4 pages)	5/1//1995	Smart I ouch, LLC
8514-6			08/345,323 11/28/1994	5,615,277	3/25/1997	9525/0737 (3 pages)	10/22/1998	
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8514-9			08/818,872 3/17/1997	5,802,199	9/1/1998	8541/0709 (7 pages)	5/30/1997	SmartTouch, LLC
8514-10			08/820,008 3/18/1997	5,805,719	9/8/1998	8645/0502 (5 pages)	3/18/1997	SmartTouch, LLC
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8514-14			I	6,012,039	1/4/2000	011170/0434 (10 pages)	9/28/2000	SmartTouch, Inc.
8514-16			09/098,318 6/16/1998	6,131,464	10/17/2000	9258/0474 (4 pages)	6/16/1998	SmartTouch, Inc.
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8514-50	60/208 680	5/31/2000	1			011723/0657 (5 pages)	1/16/2001	SmartTouch, Inc.
8514.52	200		09/731 536 12/6/2000			011359/0599 (5 pages)	12/6/2000	VeriStar Corporation
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8514-101			. 1	6,594,376.	7/15/2003	011623/0378, (5 pages)	3/5/2001	Smart I ouch, Inc.
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Exhibit -- Indivos Patent applicatons and issued patents

Docket No.	Transferred From:	Transferred To:	Recorded at		Transferred From:	Transferred To:	Recorded at:	ند
0514 5	Out delication of	, T. T. T. T.	Keel/Frame (pages)	Date			Reel/Frame (pages)	Date
8514-5	Smart louch, LLC	Smart I ouch, Inc.	9525/0621 (58 pages)	10/22/1998	SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
8514-6					SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
8514-7	SmartTouch, LLC	SmartTouch, Inc.	9525/0621 (58 pages)	10/22/1998	SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
8514-8	SmartTouch, LLC	SmartTouch, Inc.	9525/0621 (58 pages)	10/22/1998	SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
8514-9	SmartTouch, LLC	SmartTouch, Inc.	9525/0621 (58 pages)	10/22/1998	SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
8514-10	SmartTouch, LLC	SmartTouch, Inc.	9525/0621 (58 pages)	10/22/1998	SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
8514-11	SmartTouch, LLC	SmartTouch, Inc.	9525/0621 (58 pages)	10/22/1998	SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
8514-12	SmartTouch, LLC	SmartTouch, Inc.	9525/0621 (58 pages)	10/22/1998	SmartTouch, Inc.	VeriStar Corporation	012010/0454 (22 pages)	7/24/2001
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			Reel/Frame (pages)	Date			Keel/Frame (pages)	Date
8514-5	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-6	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-7	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-8	VeriStar Corporation	Indivos Corporation		10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-9	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	. 8/11/2003
8514-10	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-11	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-12	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-13	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-14	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-16	VeriStar Corporation	Indivos Corporation		10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-17	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-18	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-19	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-20	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-21	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-22	VeriStar Corporation	Indivos Corporation		10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-23	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-24	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-25	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-26	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation .	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-50	VeriStar Corporation	Indivos Corporation	—	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-52	VeriStar Corporation	Indivos Corporation	012902/0536 (3 pages)	5/17/2002	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-56	VeriStar Corporation	Indivos Corporation	012902/0512 (3 pages)	5/17/2002	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-57	VeriStar Corporation	Indivos Corporation	012902/0536 (3 pages)	5/17/2002	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-58	VeriStar Corporation	Indivos Corporation	012902/0515 (3 pages)	5/17/2002	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-60	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-61	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-75					Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-87					Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-89					Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
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8514-100	VeriStar Corporation	Indivos Corporation	012786/0432 (3 pages)	3/22/2002	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-101	VeriStar Corporation	Indivos Corporation)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-102	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003
8514-110	VeriStar Corporation	Indivos Corporation	012263/0077 (4 pages)	10/15/2001	Indivos Corporation	Indivos Corporation	013862/0618 (5 pages)	8/11/2003

																			,		The second section of the sect	Expressly abandoned in favor of 09/815,434 (8514-57).					239,595 (8514-20).	239,570 (8514-21).		19/357,718 (8514-24).	No original assignment recorded. The listed recording is for 08/442,895	(8514-5), from where the specification is taken. We also rely on the	assignment in 09/639,948 (8514-58) (the immediate parent application).		183,215 (8514-17).	330,253 (8514-19).	183,215 (8514-17).
Notes:																						Expressly abandoned in fa			-	-	Relies on assignment in 09/239,595 (8514-20)	Relies on assignment in 09/239,570 (8514-21)		Relies on assignment from 09/357,718 (8514-24).	No original assignment rec	(8514-5), from where the s	assignment in 09/639,948		Relies on assignment in 09/183,215 (8514-17)	Relies on assignment in 09/330,253 (8514-19)	Relies on assignment in 09/183,215 (8514-17)
Docket No.	8514-5	8514-6	8514-7	8514-8	8514-9	8514-10	. 8514-11	8514-12	8514-13	8514-14	8514-16	8514-17	8514-18	8514-19	8514-20	8514-21	8514-22	8514-23	8514-24	8514-25	8514-26	8514-50	8514-52	8514-56	8514-57	8514-58	8514-60	8514-61	8514-75	8514-87	8514-89			8514-100	8514-101	8514-102	8514-110



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AUGUST 12, 2003

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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/11/2003

REEL/FRAME: 013862/0618

NUMBER OF PAGES: 5

BRIEF: MERGER (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

INDIVOS CORPORATION

DOC DATE: 07/23/2003

ASSIGNEE:

INDIVOS CORPORATION

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41ST FLOOR

SAN FRANCISCO, CALIFORNIA 94105

SERIAL NUMBER: 09215058

FILING DATE: 12/17/1998

ISSUE DATE:

PATENT NUMBER:

FILING DATE: 09/16/1999

SERIAL NUMBER: 09398914

ISSUE DATE:

SERIAL NUMBER: 09441107

FILING DATE: 11/16/1999

ISSUE DATE:

SERIAL NUMBER: 09639948

FILING DATE: 08/17/2000

PATENT NUMBER:

PATENT NUMBER:

PATENT NUMBER:

ISSUE DATE:

OPR/ASSIGNMENTS

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SERIAL NUMBER: 08902151

PATENT NUMBER: 5982914

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SERIAL NUMBER: 29097014 FILING DATE: 11/25/1998 PATENT NUMBER: D425873 ISSUE DATE: 05/30/2000

SHAREILL COLES, EXAMINER ASSIGNMENT DIVISION OFFICE OF PUBLIC RECORDS

OCT 0 2 2003

I hereby certify that the attached Transmittal Letter and Assignment Socument is being facsimile transmitted to the Assignment Division of the Patent and Trademark Office Phone No. (793) 306-5995) on the date shown below.

(Total pages transmitted is 5-including this page)

Date: August 11, 2003

J hnsøn, Jr. Reg. No. 29,396

> PATENT APPLICATION Attorney's Do. No. 8514-111

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mail Stop Assignment Recordation Services Director of the U.S. Patent and Trademark Office P.O. Box 1450 Alexandria, Virginia 22313-1450

Please record the attached original document or copy thereof and return the recorded instrument to the undersigned.

- 1. Name of party conveying an interest: INDIVOS CORPORATION, a Delaware corporation
- 2. Name and address of party receiving an interest: INDIVOS CORPORATION, a Delaware corporation, One Market Street, Spear Tower, 41st Floor, San Francisco, California 94105
- 3. Description of the interest conveyed: Merger Indivos Corporation; Indivos Acquisition Corp. and Solidus Networks, Inc.

Date of execution of attached document: July 23, 2003

- Application number(s) or patent number(s). Additional sheet attached? Yes
 - 5,613,012 3/18/1997 1.
 - 5,615,277 3/25/1997 2.
 - 4/7/1998 5,737,439
 - 5,764,789 6/9/1998 4.
 - 5,802,199 9/1/1998
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32.	10/056,982	1/23/2002
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5. Name and address of party to whom correspondence concerning document should be mailed:

Alexander C. Johnson, Jr.

35. 10/619,990

MARGER JOHNSON & McCOLLOM, P.C.

7/14/2003

1030 S.W. Morrison Street Portland, Oregon 97205 Telephone: (503) 222-3613

- 6. Number of applications and patents involved: 35
- 7. Please charge our Deposit Account Number 13-1703 for the \$1,400 recordal fee. Any deficiency or overpayment should be charged or credited to deposit account number 13-1703.
- 8. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Respectfully submitted,

MARGER/JOHNSON & MCCOLLOM, P.C.

Alexander C. Johnson, Jr.

Reg. No. 29,396

1030 S.W. Morrison Street Portland, Oregon 97205 Telephone: (503) 222-3613

Total number of pages comprising cover sheet and attached assignment: 5

cc: Steve Zelinger



CERTIFICATE OF MERGER

OF

Indivos Acquisition Corp. a Delaware corporation

WITH AND INTO

Indivos Corporation a Delaware corporation

UNDER SECTION 251 OF THE GENERAL CORPORATION LAW OF THE STATE OF DELAWARE

The undersigned corporation organized and existing under and by virtue of the General Corporation Law of the State of Delaware does hereby certify that:

1. The name and state of incorporation of each of the constituent corporations of the merger is as follows:

Name

State of Incorporation

Indivos Corporation.
Indivos Acquisition Corp.

Delaware Delaware

- 2. The Agreement and Plan of Merger by and among Solidus Networks, Inc., Indivos Corporation and Indivos Acquisition Corp. dated as of March 14, 2003 (the "Merger Agreement"), has been approved, adopted, certified, executed and acknowledged by each of the constituent corporations in accordance with Section 251 (and, with respect to Indivos Acquisition Corp., by the written consent of its sole stockholder in accordance with Section 228) of the General Corporation Law of the State of Delaware.
- 3. The name of the surviving corporation (the "Surviving Corporation") is Indivos Corporation.
- 4. The amended and restated certificate of incorporation of Indivos Corporation as in effect immediately prior to the effective time of the merger, shall be the certificate of incorporation of the Surviving Corporation, provided that, at the effective time of the merger, said certificate of incorporation shall be amended as follows:

Article IV shall be deleted in its entirety and substituted in lieu thereof a new Article IV which shall provide:

A. Classes of Stock. This corporation is authorized to issue two classes of stock to be designated, respectively, "Common Stock" and "Preferred Stock." The total number of shares which the corporation is authorized to issue is Two Thousand (2,000) shares. One Thousand (1,000) shares shall be Common Stock, each having a par value of one-hundredth of one cent (\$.0001). One

835752 v2/SF hwvc02!.DOC SF426361.2 Thousand (1,000) shares shall be Preferred Stock, each having a par value of one-hundredth of one cent (\$.0001).

- Preferred Stock. The Preferred Stock may be issued from time to B. time in one or more series. The board of directors of the corporation (the "Board of Directors") is hereby expressly authorized to provide for the issue of all of any of the remaining unissued and undesignated shares of the Preferred Stock in one or more series, and to fix the number of shares and to determine or alter for each such series, such voting powers, full or limited, or no voting powers, and such designation, preferences, and relative, participating, optional, or other rights and such qualifications, limitations, or restrictions thereof, as shall be stated and expressed in the resolution or resolutions adopted by the Board of Directors providing for the issuance of such shares and as may be permitted by the Delaware General Corporation Law. The Board of Directors is also expressly authorized to increase or decrease the number of shares of any series subsequent to the issuance of shares of that series, but not below the number of shares of such series then outstanding. In case the number of shares of any series shall be decreased in accordance with the foregoing sentence, the shares constituting such decrease shall resume the status that they had prior to the adoption of the resolution originally fixing the number of shares of such series.
- 5. The executed Merger Agreement is on file at the principal place of business of the Surviving Corporation. The address of the principal place of business of the Surviving Corporation is One Market Plaza, 41st Floor, San Francisco, California 94105.
- 6. A copy of the executed Merger Agreement will be furnished by the Surviving Corporation, on request and without cost, to any stockholder of any constituent corporation.

IN WITNESS WHEREOF, this Certificate of Merger is hereby executed on behalf of Indivos Corporation.

Dated as of July 23, 2003

Indivos Corporation, a Delaware corporation

Name: Rober

Title: Chief Executive Officer

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